

WEBB COUNTY, TEXAS COMMISSIONERS COURT

PUBLIC NOTICE
COMMISSIONERS COURT MEETING
WEBB COUNTY COURTHOUSE
1000 HOUSTON STREET, 2ND FLOOR
LAREDO, TEXAS 78040
April 23, 2007
5:30 P.M.

CALL TO ORDER BY THE HONORABLE DANNY VALDEZ, WEBB COUNTY JUDGE

- 1. ROLL CALL BY HONORABLE MARGIE RAMIREZ-IBARRA, WEBB COUNTY CLERK
- 2. PLEDGE OF ALLEGIANCE
- 3. APPROVAL OF MINUTES FOR APRIL 4, 2007 and APRIL 10, 2007
- 4. APPROVAL OF BILLS, PAYROLL AND MONTHLY REPORTS
- **5.** COMMUNICATIONS
- **6.** Public Comment-This section provides the public the opportunity to address the Commissioners Court on any items on the Agenda. Members of the public wishing to participate must complete a Witness Card specifying which agenda item they wish to comment on. Each public member will be allowed a total of three (3) minutes within which to make any/all public comments.

COURT TO DISCUSS AND ACT ON THE FOLLOWING:

Honorable Danny Valdez, Webb County Judge

7. Discussion and possible action to proclaim the month of May as "Community Action Agency Month" in Webb County, Texas.

Honorable Frank Sciaraffa, Webb County Commissioner Pct. 1

8. Discussion and possible action authorizing the County Judge to execute an agreement with AEP for the installation of 66 street lights on Espejo Molina Road from Hwy 83 South to Rio Bravo and El Cenizo. [Account Number 661-7501-8621-1]

Honorable Jerry Garza, Webb County Commissioner Pct. 3

- 9. Discussion and possible action authorizing the amendment of the lease agreement with the City of Laredo for the Buenos Aires Community Center for additional space. [Requested by Tomas M. Rodriguez Jr., P.E.; Account Number 658-8103-8710-3]
- **10.** Presentation and action to accept the Audited Basic Financial Statements of Webb County for the Fiscal Year 2005-2006 by the accounting firm of Garza and Martinez, Certified Public Accountants. [Co-sponsored by Commissioner Sergio "Keko" Martinez]

MEDIA BREAK	

County Attorney

- 11. Discussion and possible action to rescind the design build agreement with Professional Golf Services, LP as approved by the Webb County Commissioners Court meeting of October 10 & 11, 2006, and enter into a Design Build Agreement with Professional Golf Services, LP for golf course renovations at the Webb County Golf Course in the amount of TWO HUNDRED SEVENTY THOUSAND SIX HUNDRED FIFTY-FOUR DOLLARS (\$270,654.00), and authorizing the County Judge to execute all relevant documents. [Requested by Webb County Engineering Department; Account Number 665-6001-8601]
- **12.** Discussion and possible action to accept THIRTY-TWO (32) Right of Way and public utility easements, out of tract of land in Webb County, Texas commonly known as the "Vela Tract" and authorizing the County Judge and Commissioners to sign all relevant documents. [Requested by Engineering Dept]
- **13.** Discussion and possible action to enter into a (12) twelve month (April 1, 2007 through March 31, 2008) Premium Maintenance Agreement # 37676 with Toshiba Business Solutions to service a Toshiba ES-720, located in the District Clerk's Office at a maintenance fee of FORTY-FIVE DOLLARS AND NO CENTS (\$45.00) per quarter plus (\$0.006500) per copy, and authorizing the County Judge to sign all relevant documents. [Manuel Gutierrez, District Clerk; Account Number 001-1110-6402 (Repairs and Maintenance)]
- 14. Discussion and possible action to enter into a construction contract with Ramos Industries, Inc., for the construction of a Raw Water Intake Structure, Pump Station and Reservoir Intake, (to serve the Webb County water treatment plant) in the amount of ONE MILLION FOUR HUNDRED THOUSAND DOLLARS (\$1,400,000.00) and authorizing the County Judge to sign all relevant documents. [Account #001-0109-6022 Requested by Engineering Dept Account Number Various within funds 646,647,648,649]
- **15.** Discussion and possible action to enter into an agreement with E.G. Ranch Ltd. for the dedication of an approximate 2.140 acre parcel for public roadway and utility right-of-way and certain road and drainage structure improvements to be constructed by Webb County in association with the platting of Colonia Old Milwaukee and authorizing the County Judge to sign all relevant documents. [Requested by Engineering; Account Number 705-8001-8801-14]
- 16. Discussion and possible action to enter into an Engineering Contract with Porras Engineering for Hydrologic and Hydraulic Analysis/Study for Penitas West in the amount of SEVENTY-FIVE THOUSAND SEVEN HUNDRED FORTY-FIVE DOLLARS (\$75,745.00) and authorizing the County Judge to sign all relevant documents. [Requested by Engineering Department; Account Number 706-8001-8801-14]

- **17.** Discussion and possible action to retain the services of Person, Whitworth, Borchers, & Morales LLP to represent Leocadio Flores, Webb County Auditor in Cause No. 2006-CVQ-000810-D1; 359 P4 L.L.C. vs. City of Laredo, Elizabeth G. Flores, County of Webb, and Leocadio "Leo" Flores; In the 49th Judicial District Court of Webb County, Texas, and enter into and ratify a retainer agreement with said law firm and authorizing the County Judge to execute all relevant documents.
- **18.** Discussion and possible action to accept ONE (1) Right of Way and public utility easement, abutting Colonia Old Milwaukee in Webb County, Texas and authorizing the County Judge and Commissioners to sign all relevant documents. [Requested by Engineering Dept.]

District Attorney

19. Discussion and possible action to approve the following line item transfer:

From: Account #001-1100-5601 Administrative Travel \$2,000.00 #001-1100-6403 Repair and Maint. of Vehicles \$1,000.00

To: Account #001-1100-6205 Materials and Supplies \$3,000.00

Sheriff

- **20.** Discussion and possible action to approve the submission of a grant application to the Crime Victim Services Division (CVSD) Office of the Attorney General (OAG) for a Other Victim Assistance Grant (OVAG) and designating the Webb County Judge to act as the authorized official in all grant-related matters. This grant requires no match and thus is at no cost to the County.
- **21.** Discussion and possible action to approve the submission of a S.T.O.P. Violence Against Women Act (VAWA) grant to the Office of the Governor Criminal Justice Division (CJD) and designating the Webb County Judge as the grantee's authorized official. This grant requires a thirty-five (35%) match, which will be provided as in-kind match by the Webb County Sheriff's Department.
- **22.** Discussion and possible action to approve the submission of a State Criminal Justice Planning (Fund 421) Program grant to the Office of the Governor Criminal Justice Division (CJD) and designating the Webb County Judge as the grantee's authorized official. This grant requires no match and thus is at no cost to the County.

Administrative Services

- **23.** Discussion and possible action to authorize the Administrative Services Department and the RWL Group (Insurance Consultants for the County) to solicit Requests for Proposals for the Webb County Supplemental Insurance Programs for Fiscal Year 2007-2008.
- **24.** Discussion and possible action to accept the Texas Association of Counties recommended changes to our Employee Health and Benefit Pool with the following item.
 - 1. Dependent Eligibility Rules

Community Action Agency

- **25.** Discussion and possible action to approve the submission of the 2007/2008 City of Laredo Third Party Funding Application for the Elderly Nutrition Program in the amount of \$92,000.00.
- **26.** Discussion and possible action to approve the submission of the 2007/2008 City of Laredo Third Party Funding Application for the Meals on Wheels Program in the amount of \$53,000.00.
- **27.** Discussion and possible action to accept FIFTEEN THOUSAND (\$15,000.00) DOLLARS from TXU Energy Retail Company to be used to help families that are in financial distress to meet energy related costs essential to their health and welfare.

Economic Development

28. Discussion and possible action to authorize the Economic Development Department to develop and submit an application to the Office of Rural Community Affairs (ORCA) for a Texas Community Development Program (TCDP) under Colonia Economically Distress Areas Program for a house to line connection project in the Colonias of Los Altos, San Carlos, and San Enrique in the amount of a \$500,000 grant and no county matching funds and designating the County Judge as the County's Chief Executive Officer and Authorized Representative to act in all matters in connection with this application.

29. Discussion and possible action to accept recommendations from the Webb County Rehabilitation Scoring Committee on the following eligible applicant to receive assistance under the Economic Development Department, United States Department of Agriculture (USDA) Rural Development: Ms. Isabel Palacios of Bruni, Texas and the following eligible applicants to receive assistance under the Self Help Center Rehabilitation Program: Mr. Luis Perez and Mr. Rafael Velasco of Tanquecitos I and authorizing the Purchasing Agent to solicit construction bids for the rehabilitation of the homes. (Funding Source 506-6500-70373) This action will not have an impact on the County's General Fund.

Engineer

30. Discussion and possible action authorizing to transfer the following funds:

From:	Acct. No. 801-3004-6001 Acct. No. 801-3004-6014 Acct. No. 801-3004-6214 Acct. No. 801-3004-6401 Acct. No. 801-3004-6502	Office Supplies Equipment Rental Chemicals Repair & Maintenance Buildings Janitorial Supplies	\$ 250.00 \$ 150.00 \$1,000.00 \$ 600.00 \$ 100.00
To:	Acct. No. 801-3004-6402	Repairs & Maintenance Equipment	\$2,100.00
From:	Acct. No. 801-3001-6407	Repair & Maintenance Water Lines	\$1,075.00
	Acct. No. 801-3001-6401	Repair & Maintenance Building	\$ 624.00
	Acct. No. 801-3001-6014	Equipment Rental	\$1,331.00
	Acct. No. 801-3001-6017	Printing & Printing Supplies	\$1,150.00
To:	Acct. No. 801-3001-6402	Repairs & Equipment Maintenance	\$4,180.00
From:	Acct. No. 801-3004-6201	Utilities	\$ 500.00
	Acct. No. 801-3004-6048	License & Permits	\$6,000.00
То:	Acct. No. 801-3001-5602	Local Mileage	\$ 300.00
	Acct. No. 801-3001-6502	Janitorial Supplies	\$ 200.00
	Acct. No. 801-3004-6022-	8 Lab Work & Testing	\$6,000.00

31. Discussion and possible action authorizing Final Payment and Retainage in the amount of \$1,253.52 to Architects Plus for the Fred & Anita Bruni Community Center. [Account Number 697-8001-6022]

32. Discussion and possible action authorizing Amendment No. 1 to Foster Engineering Contract in the amount of \$34,590.00 increasing the contract from \$260,755.00 to \$295,345.00. [Account Number 717-0115-8601]

Medical Examiner

33. Discussion and possible action to approve the following line item transfer:

From: Acct. #001-20706011 Training and Education \$1,800.00 To: Acct. #001-20706204 Fuel and Lube \$1,800.00

- **34.** Discussion and possible action to augment the salary of Dr. Stern, Webb County Chief Medical Examiner, by \$300.00 per case for each out of county autopsy performed by her at the Webb County Medical Examiner's Office.
- **35.** Discussion and possible action to enter into an Interlocal Agreement with Zapata County for autopsy services at ONE THOUSAND FIVE HUNDRED DOLLARS (\$1,500.00) per autopsy for a one year period beginning February 26, 2007 and authorizing the County Judge to sign all relevant documents; and any other matters incident thereto.

Planning Department

36. Discussion and possible action to issue a "Certification Regarding Compliance with Plat Requirements and the Connection of Utilities" to authorize an electrical connection pursuant to Section 232.028(b), Local Government Code to an unplatted tract of land known as Lots 1, 2, 11, &12, Block 6, Aguilares, as further described in Vol. 1623, Pgs. 435-436, of the Webb County Deed Records (electricity – one dwelling only).

Purchasing Department

- **37.** Discussion and possible action to authorize the Purchasing Agent to purchase incentive items from Best Expressions in the amount of \$10,507.71 for the Sheriff's Department from Account No. 311-2001-6205. [Requested by: Major J.J. Gonzalez; Account Number: 311-2001-6205]
- **38.** Discussion and possible action to approve the transfer of one (1) 2001 Ford Crown Victoria Flt. Pkg. 4 Dr. SD VIN #2FAFP72W21X156551 from the District Attorney's Office to Constable Tino Juarez, Pct. 4 [Requested by: Constable Tino Juarez; Account Number: no account number involved]

- **39.** Discussion and possible action to award Bid 2007-60 "Food Commodities" to Ben E. Keith, 5505 Kaepa Court, San Antonio, Texas 78218. [Requested by Eloy Ramirez; Account Number 952-4216-6213 Meals on Wheels] [955-4222-6213 Elderly Nutrition][903-4207-6219 & 906-4209-6213 Head Start]
- **40.** Discussion and possible action to authorize the Purchasing Agent to purchase one (1) patrol vehicle from Philpot Motors in the amount of \$32,202.00 and Radio Equipment from Motorola in the amount of \$5,304.72 for a total of \$37,506.72 through H-GAC Bid VE03-06. Fund: Certificates of Obligation Series 2006; Account No. 722-8108-8801; Balance: \$435,075.09. [Requested by Constable Ruben Reyes; Account Number 722-8108-8801]
- **41.** Discussion and possible action to award the following bids:

Bid No. SHC 2007-75 "Housing Rehabilitation Program – Mario Tejeda" (\$24,630.00) Bid No. SHC 2007-76 "Housing Rehabilitation Program – Jonas Gamez" (\$46.700.00)

TOTAL: (\$71,330.00)

To: Saadia, Inc., 1510 Calle Del Norte Ste #6, Laredo, Texas 78046, Attn: Santos Sierra. Fund: Account No. 506-6500-7037-3; Balance \$383,440.90.

[Requested by Eloy Ramirez, Jr.; Account Number: 506-6500-7037-3]

- **42.** Discussion and possible action to authorize the Purchasing Agent to purchase twenty-five (25) computers with 15" monitors, twenty-five (25) HP Deskjet 4160 Printers and twenty-five (25) USB printer cables from CDW-G for a total amount of \$22,720.50 for Head Start. Fund: 903-4207-6224-1; Balance: \$22,728.00. [Requested by Aliza Oliveros; Account Number 903-4207-6224-1]
- **43.** Discussion and possible action to authorize the Purchasing Agent to purchase (300) MTL Beam GD Fence (12GA) in the amount of \$5,115.00 and (4) Term Anchor Sect (12GA) in the amount of \$1,592.00 for a total of \$6,707.00 from Laredo Stripping, Inc. Fund: Account 671-8001-8801-14; Balance: \$45,543.36. [Requested by Jose Luis Ramos; Account Number 671-8001-8801-14]
- **44.** Discussion and possible action to award Bid 2007-80 "Penjamo & Llano Pastures Agriculture and Hunting Lease" to: Seymon Deutsch, El Dos Cattle Company, 2502 Reynolds, Laredo, Texas 78043, bid price 12.00 per acre x 8829.57= \$105,954.84 per year for a period of three (3) years with one (1)-two (2) years option by the county to extend for a total of five (5) years. [Requested by Eloy Ramirez, Jr.; Account Number: No account involved]

Executive Session

- **45.** Discussion and possible action to reassign some or all Webb County Road & Bridge Department employees currently assigned to the Texas Department of Public Safety to assist with processing motor vehicle citations; to provide funding to the State of Texas in lieu of assigning employees to DPS; to transfer slots of such employees to other departments; or to take other action as Commissioners Court may deem appropriate [Executive Session is requested pursuant to Texas Government Code, Title 5, Subchapter D, Sections 551.071 (Consultation with Attorney) and 551.074 (Personnel Matters)].
- 46. Discussion and possible action to reconsider and rescind the commissioners court action taken on the meeting of April 10, 2007,regarding Cause No. 06-1079; The City of Laredo, Texas vs. Martha Escamilla, et al; In the Supreme Court of Texas, with respect to waving of attorneys fees. [Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney)] [Requested by Commissioner Sergio "Keko" Martinez]
- **47.** Discussion and possible action regarding Cause No. 06-1079; <u>The City of Laredo, Texas v. Martha Escamilla, et al.</u> In the Supreme Court of Texas, and any matters incident thereto. [Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney)]
- **48.** Discussion and possible action to consider and act on the recommendation of the Webb County Employee Grievance Committee regarding the grievance filed by Cayetano Tijerina, former Assistant Human Resources Coordinator. [Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney)].
- **49.** Discussion and possible action regarding Cause No. 2006-CVQ-000810-D1; <u>359 P4 L.L.C. vs. City of Laredo, Elizabeth G. Flores, County of Webb, and Leocadio "Leo" Flores; In the 49th Judicial District Court of Webb County, Texas and any matters incident thereto.[Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney)].</u>
- **50.** Discussion and possible action regarding Cause No. GV-403943; Webb County, Texas v. Greg Abbott, et al.: In the 261st Judicial District Court of Travis, County Texas; and any matters incident thereto. [Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney)]

- 51. Discussion and possible action to consider and designate a representative to mediation in Cause No. 2006-CVQ-000627-D2; <u>Jose Luis Rodriguez vs. County of Webb; Louis H. Bruni, in his Individual Capacity; Frank Sciaraffa, in his Individual Capacity; Jerry Garza, in his Individual Capacity; and Cindy Cortez Brunner, in her Individual Capacity; In the 111th Judicial District Court of Webb County, Texas; and any matters incident thereto. [Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney)].</u>
- **52.** Discussion and possible action regarding Cause No. L-06-85; <u>Guillermo Garcia vs. Webb County</u>; In the United States District Court for the Southern District of Texas, Laredo Division, and any matters incident thereto. [Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney)]
- **53.** Discussion with possible action to clarify, amend, or take other action regarding resolution of Commissioners Court dated March 27, 2001 relating to proposed regional landfill on Texas 359 within Webb County [Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney)]
- **54.** Adjournment

The Webb County Commissioners Court hereby reserves the right to go into closed session at any time during this public meeting, if such is requested by the County Attorney or other legal counsel for the County, pursuant to his or her duty under Section 551.071(2) of the Government Code, to consult privately with his or her client on an item on the agenda, or on a matter arising out of such item.

♣ DISABILITY ACCESS STATEMENT ♣

Persons with disabilities who plan to attend this meeting and who may need auxiliary aid of service such as interpreters for persons who are deaf or hearing impaired, readers, or need large print are requested to contact the court administrator at (956) 523-4622.

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DATED THIS 20 th DAY	OF <u>April,</u> 2007
By: Yolanda L. Carrillo Court Administrator	
	CERTIFICATION OF NOTICE AND POSTING
Webb County Commiss a true and correct copy County, Texas, at a place	nty Clerk, do hereby certify that the above notice of meeting of the ioners Court, is a true and correct copy of said notice, and that I posted of said notice on the bulletin board at the Courthouse door of Webb ce readily accessible to the general public at all times on the 20th day of ice remained so posted continuously for at least 72 hours preceding the meeting.
DATED THIS 20th DAY	OF <u>April,</u> 2007
MARGIE RAMIREZ IBA	RRA, COUNTY CLERK, WEBB COUNTY, TEXAS
BY: Imelda Diaz, Deput	ry Clerk